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DATE: March 15, 2004

TO: Office of Petitions  
Patent Term Adjustment

Fax No.: (703) 872 9306

FROM: James F. Thompson

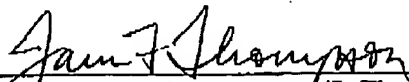
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Application No. 09/955,415  
Filed Date: September 18, 2001  
Confirmation No.: 1047A confirmation copy of this transmission will not be mailed unless the following is checked: [ ]  
MESSAGEPLEASE DELIVER DIRECTLY TO:**OFFICE OF PETITIONS  
PATENT TERM ADJUSTMENT****FOR ENTRY**Enclosed for filing please find a: Petition for Patent Term Adjustment including  
authorization to charge associated fee to Deposit Account.The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional  
filing fees associated with this communication or credit any overpayment.  
\_\_\_\_\_  
Attorney for Applicant: James F. Thompson  
Registration No. 36,699

303392-1

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MAR 15 2004

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Marc Bernard et al  
 Application No. : 09/955,415  
 Filed : September 18, 2001  
 Confirmation No. : 1047  
 For : INTERFACE COMPONENT FOR A POSITIONING  
 SYSTEM AND METHOD FOR DESIGNING AN  
 INTERFACE COMPONENT  
 Examiner : Donels, Jeffrey.  
 Attorney's Docket : MICRE-007XX

Group Art Unit: 2837

\*\*\*\*\*  
 I hereby certify that this correspondence is being sent via  
 facsimile to Attention: Office of Petitions, Fax No. (703) 872  
 9306, on March 15, 2004

By:

James F. Thompson  
 James F. Thompson  
 Registration No. 36,699  
 Attorney for Applicants

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APPLICATION FOR PATENT TERM ADJUSTMENT  
UNDER 37 C.F.R. § 1.705(b)

Via Facsimile  
 Office of Petitions  
 U.S. Patent & Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that the patent term  
 adjustment be corrected from granted 125 days to 316 days for the  
 reasons detailed below.

The basis for the correction of the patent term adjustment is  
 37 C.F.R. § 1.702(a)(1). Under § 1.702(a)(1), a patent term shall

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Filed: September 18, 2001  
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be adjusted if the issuance of the patent was delayed due to the failure of the Office to: (1) mail at least one of a notification under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151 not later than fourteen months after the date on which the application was filed under 35 U.S.C. 111(a) or fulfilled the requirements of 35 U.S.C. 371 in an international application.

The relevant dates as specified in 37 C.F.R. § 1.703(a)(1) are as follows:

- The present application was filed in the U.S. on September 18, 2001.
- Fourteen months after the filing date of September 18, 2001, is November 18, 2002.
- A response to the first Office Action dated July 8, 2003 was filed on August 4, 2003.
- A subsequent notice of allowance was mailed on March 3, 2004.
- The notice of allowance states that the patent term adjustment to date is 125 days.

Under 37 C.F.R. § 1.703(a)(1) and (f), the period of adjustment is 232 days, which is the number of days in the period beginning on November 18, 2002, (fourteen months from the day the requirements under § 371 were fulfilled) and ending on July 8,

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2003 (the mailing date of first Office Action notice of allowance).

In addition, a PTO delay of a further 90 days (beyond the mandated 4 months response frame) was incurred between the date of receipt of the response to the first Office Action (August 4, 2004) and the subsequent mailing of the Notice of Allowance dated March 3, 2004.

Applicant enclosed a copy of the Patent Term Adjustment History from the PAIR system. Applicant contends that the Applicant delay indicated of 197 days is erroneous as 191 days of this delay was due to the misplacement by the PTO of Information Disclosure Statement originally filed on February 5, 2003. Hence, Applicant contends that Applicant Delay should only be 6 days which elapsed before response to Notice of Incomplete Application Papers filed on January 25, 2002.

In summary, Applicant contends that the Patent Term Adjustment should be 316 days (PTO Delays (232 + 90 = 322), less Applicant Delay of 6 days = 316).

The patent issuing from this application is not subject to a terminal disclaimer.

There were no circumstances during the prosecution of this application that constitute a failure to engage in reasonable

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efforts to conclude processing or examination of this application  
as set forth in 37 C.F.R. § 1.704.

The Commissioner is authorized to charge the fee of \$200.00  
under 37 C.F.R. § 1.18(e) to Deposit Account No. 23-0804.

Accordingly, correction of the patent term adjustment to 316  
days is respectfully requested.

Respectfully submitted,

MARC BERNARD ET AL.

By: 

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